

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NATHAN ALLEN ARMSTRONG,

Plaintiff,

v.

MAXINE OVERTON,

Defendant.

Civil Action No. 07-152 Erie

**MEMORANDUM ORDER**

\_\_\_\_ Plaintiff's civil rights complaint was received by the Clerk of Court on June 14, 2007 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation, filed on January 16, 2008 [33], recommends that the Plaintiff's motion for "Injunction for Relief Retaliatory Conduct" [31] be denied. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at SCI Albion, where he is incarcerated, and on the Defendants. No objections were filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8<sup>th</sup> day of February, 2008;

IT IS HEREBY ORDERED that the Plaintiff's motion for "Injunction for Relief Retaliatory Conduct" [31] be, and hereby is, DENIED.

The Report and Recommendation of Chief Magistrate Judge Baxter, dated January 16, 2008 [33], is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN

Sean J. McLaughlin  
United States District Judge

cc: all parties of record  
Chief U.S. Magistrate Judge Baxter